United Nations A/C.3/55/L.8/Rev.1

General Assembly

Distr.: Limited
23 October 2000

Original: English

Fifty-fifth session
Third Committee
Agenda item 105
Crime prevention and criminal justice

Andorra, Australia, Austria, Belgium, Bulgaria, Burundi, Canada, Chile, Colombia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Monaco, Netherlands, New Zealand, Panama, Poland, Portugal, Russian Federation, San Marino, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela: revised draft resolution

Combating the criminal misuse of information technologies

The General Assembly,

Recalling United Nations Millennium Declaration,[1] in which Member States resolve to ensure that the benefits of new technologies, especially information and communications technologies, in conformity with recommendations contained in the ECOSOC 2000 Ministerial Declaration, are available to all,

Recalling also its resolution 45/121, in which it endorsed the recommendations of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and noting in particular its resolution on computer-related crimes,[2] in which the Eighth Congress called upon States to intensify their efforts to combat computer-related abuses more effectively,

Emphasizing the contributions that the United Nations, and in particular the United Nations Commission on Crime Prevention and Criminal Justice, can make in the promotion of more efficient and effective law enforcement and administration of justice and of the highest standards of fairness and human dignity,

Recognizing that the free flow of information can promote economic and social development, education and democratic governance,

Noting significant advancements in the development and application of information technologies and means of telecommunication,

[1] Resolution 55/2.
[2] A/CONF.144/28.

00-70412 (E) 231000

Expressing concern that technological advancements have created new possibilities for criminal activity, in particular the criminal misuse of information technologies,

Noting that reliance on information technologies, while it may vary from State to State, has resulted in a substantial increase in global cooperation and coordination, with the result that criminal misuse of information technologies may have a grave impact on all States,

Recognizing that gaps in the access to and use of information technologies by States can diminish the effectiveness of international cooperation in combating the criminal misuse of information technologies, and noting the need to facilitate the transfer of information technologies, in particular to developing countries,

Noting the necessity of preventing the criminal misuse of information technologies,

Recognizing the need for cooperation between States and private industry in combating the criminal misuse of information technologies,

Underscoring the need for enhanced coordination and cooperation among States in combating the criminal misuse of information technologies and, in this context, stressing the role that can be played by both the United Nations and regional organizations,

Welcoming the work of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,

Noting the work of the Committee of Experts on Crime and Cyberspace of the Council of Europe on a draft convention on cybercrime, the principles agreed to by the Ministers for Foreign Affairs of the Group of Eight in Washington, D.C., on 10 December 1997, which were endorsed by the Heads of State of the Group of Eight in Birmingham, United Kingdom of Great Britain and Northern Ireland, in May 1998, the work Conference of the Group of Eight on a dialogue between government and industry on safety and confidence in cyberspace, held in Paris from 15 to 17 May 2000, and the recommendations approved on 2 March 2000 by the Third Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas, convened in Costa Rica within the framework of the Organization of American States,

1. *Notes with appreciation* the efforts of these organizations to prevent the criminal misuse of information technologies and also takes note of the value of, inter alia, the following measures to combat such misuse:

(a) States should ensure that their laws and practice eliminate safe havens for those who criminally misuse information technologies;

(b) Law enforcement cooperation in the investigation and prosecution of international cases of criminal misuse of information technologies should be coordinated among all concerned States;

(c) Information should be exchanged between States regarding the problems that they face in combating the criminal misuse of information technologies;

(d) Law enforcement personnel should be trained and equipped to address the criminal misuse of information technologies;

(e) Legal systems should protect the confidentiality, integrity and availability of data and computer systems from unauthorized impairment and ensure that criminal abuse is penalized;

(f) Legal systems should permit the preservation of and quick access to electronic data pertaining to particular criminal investigations;

(g) Mutual assistance regimes should ensure the timely investigation of the criminal misuse of information technologies and the timely gathering and exchange of evidence in such cases;

(h) The general public should be made aware of the need to prevent and combat the criminal misuse of information technologies;

(i) To the extent practicable, information technologies should be designed to help prevent and detect criminal misuse, trace criminals and collect evidence;

(j) The fight against the criminal misuse of information technologies requires the development of solutions taking into account both the protection of individual freedoms and privacy and the preservation of the capacity of Governments to fight such criminal misuse;

2. *Invites* States to take into account the above-mentioned measures in their efforts to combat the criminal misuse of information technologies;

3. *Decides* to maintain the question of the criminal misuse of information technologies on the agenda of its fifty-sixth session, as part of the item on crime prevention and criminal justice.